

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

2009 JUN 15 PM 12:22

United States of America

v.

Michael Myricks

Date of Previous Judgment: April 11, 1997
(Use Date of Last Amended Judgment if Applicable)

)
)
) Case No: CR196-00061-008
) USM No: 09277-021
) Fred Kennedy
) Defendant's Attorney

CLERK L. Elbert
SO. DIST. OF GA.

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 324 months is reduced to 262 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

| | |
|-----------------------------------------------------------|----------------------------------------------------------|
| Previous Offense Level: <u>36</u> | Amended Offense Level: <u>34</u> |
| Criminal History Category: <u>VI</u> | Criminal History Category: <u>VI</u> |
| Previous Guideline Range: <u>324</u> to <u>405</u> months | Amended Guideline Range: <u>262</u> to <u>327</u> months |

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

The Court has considered the facts of this case and all relevant provisions of 18 U.S.C. § 3553(a), specifically deterrence, punishment, and the need to protect the community when determining the appropriate sentence in this case.

Except as provided above, all provisions of the judgment dated April 11, 1997, shall remain in effect.

IT IS SO ORDERED.

Order Date:

June 15, 2009

Dudley H. Bowen, Jr.
Judge's signature

Effective Date:

(if different from order date)

Dudley H. Bowen, Jr.
United States District Judge

Printed name and title